

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

MARION CHAD SPEARS

PLAINTIFF

v.

CIVIL ACTION 3:15cv119-DPJ-FKB

JANE MARQUARDT, et al.

DEFENDANTS

ORDER

This pro se prisoner action brought under 42 U.S.C. § 1983 is before the Court on the Report and Recommendation [24] of the United States Magistrate Judge. United States Magistrate Judge F. Keith Ball recommends dismissal of Marion Spears' § 1983 claim against Jane Marquardt, N. Hogans, Vernell Thomas, and Issa Arnita. Spears did not file and Objection to the Report and Recommendation, and the time to do so has passed. The Court finds that the recommendation to dismiss the Defendants should be adopted. Plaintiff states no facts that would entitle him to relief against these Defendants and therefore has failed to state a claim under Rule 12(b)(6).

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge F. Keith Ball be, and the same is hereby, adopted as the finding of this Court. Spears' claims against Defendants Marquardt, Hogans, Thomas, and Arnita are dismissed with prejudice.

**SO ORDERED AND ADJUDGED** this the 30<sup>th</sup> day of September, 2015.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE